

APPROVED

PLANNING COMMISSION SUBCOMMITTEE MINUTES

March 26, 2008

I. ROLL CALL

Present: Mandal and Williams
Absent: Ali-Santosa and Tabladillo
Staff: Ah Sing, Andrade, Hom, Kunsman, and Ogaz

1. SITE AND ARCHITECTURAL REVIEW AMENDMENT NO. SA08-0007

Tiffany Kunsman, Project Planner, presented a request to install a new clean air separator equipment for an existing gas station located at 1249 Great Mall Drive. Ms. Kunsman recommended the Commission approve the project subject to the findings and special conditions of approval.

Motion to approve Site and Architectural Review Amendment No. SA08-0007.

M/S: Mandal/Williams

AYES: 2

NOES: 0

2. SITE AND ARCHITECTURAL REVIEW AMENDMENT NO. SA08-0006

Tiffany Kunsman, Project Planner, presented a request to install a new clean air separator equipment for an existing gas station located at 1490 S. Park Victoria Drive. Ms. Kunsman recommended the Commission approve the project subject to the findings and special conditions of approval.

Motion to approve Site and Architectural Review Amendment No. SA08-0006.

M/S: Mandal/Williams

AYES: 2

NOES: 0

3. SITE AND ARCHITECTURAL REVIEW AMENDMENT NO. SA08-0011

Cindy Hom, Project Planner, presented a request to construct a new 29'-6" tall front entry feature located at the northeast corner of the building located at 215 Topaz Street. Ms. Hom recommended the Commission approve the project subject to the findings and special conditions of approval.

Motion to approve Site and Architectural Review Amendment No. SA08-0011.

M/S: Mandal/Williams

AYES: 2

NOES: 0

4. SITE AND ARCHITECTURAL REVIEW AMENDMENT NO. SA08-0009

Cindy Hom, Project Planner, presented a request to install (3) driveway monument signs for the Cisco building located at 1545 Barber Lane. Ms. Hom recommended the Commission approve the project subject to the findings and special conditions of approval.

Motion to approve Site and Architectural Review Amendment No. SA08-0009.

M/S: Mandal/Williams

AYES: 2

NOES: 0

**5. SITE AND
ARCHITECTURAL
REVIEW AMENDMENT
NO. SA08-0008**

Cindy Hom, Project Planner, presented a request to install a 5'-6" tall double face, non-illuminated monument sign at the southeast corner of the parcel located at 1001 Yosemite Drive. Ms. Hom recommended the Commission approve the project subject to the findings and special conditions of approval.

Motion to approve Site and Architectural Review Amendment No. SA08-0008.

M/S: Mandal/Williams

AYES: 2

NOES: 0

**II.
ADJOURNMENT**

This meeting was adjourned at 6:55 p.m.

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I. PLEDGE OF ALLEGIANCE

Chair Williams called the meeting to order at 7:00 P.M. and led the Pledge of Allegiance.

II. ROLL CALL

Present: Ciardella, Mandal, Sandhu, and Williams
Absent: Ali-Santosa, Galang, Tabladillo
Staff: Andrade, Ah Sing, Hom, Kunsman, and Ogaz

III. PUBLIC FORUM

Chair Williams invited members of the audience to address the Commission on any topic not on the agenda, noting that no response is required from the staff or Commission, but that the Commission may choose to agendize the matter for a future meeting.

There were no speakers in the audience.

IV. APPROVAL OF MINUTES March 12, 2008

Chair Williams called for approval of the minutes of the Planning Commission meeting of March 12, 2008.

Motion to approve the minutes of March 12, 2008.

M/S: Mandal/Sandhu

AYES: 4

NOES: 0

V. ANNOUNCEMENTS

Sheldon Ah Sing, Senior Planner, announced at the request of the Planning Commission, staff extended an invitation to the Milpitas Christian School to present their award winning future city project, that presentation is scheduled for the next Planning Commission meeting. Because of that presentation the next Planning Subcommittee meeting would start at 6:00 pm with the Planning Commission meeting beginning at 6:30 pm with the presentation to follow.

VI. CONFLICT OF INTEREST

City Attorney Mike Ogaz asked if any member of the Commission has any personal or financial conflict of interest related to any of the items on tonight's agenda.

There were no Commissioners who identified a conflict of interest.

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**VII.
APPROVAL OF
AGENDA**

Chair Williams called for approval of the agenda.

There were no changes to the agenda.

Motion to approve the agenda as submitted.

M/S: Sandhu/Mandal

AYES: 4

NOES: 0

**VIII.
CONSENT CALENDAR**

Chair Williams asked whether staff, the Commission, or anyone in the audience wished to remove or add any items to the consent calendar.

There no items on the consent calendar.

**IX.
PUBLIC HEARING**

**1. CONDITIONAL USE
PERMIT NO. UP07-0004**

Tiffany Kunsman, Junior Planner, presented a request to locate an adult day social care facility that provides social activities and recreation to developmentally disabled adults between the ages of 18 – 59. This facility is not a 24 hour facility; medicine and food will not be provided. The proposed location is 1753 and 1745 South Main Street. Ms. Kunsman recommended that the Commission Adopt Resolution No. 08-012 for approval.

Commissioner Ciardella asked if lunch would be provided. Staff stated that lunch would not be provided, however, she believes bag lunches are okay and deferred that question to the applicant.

Commissioner Mandal asked if this project was ADA compatible. Staff stated yes and that the building is only one story.

Chair Williams asked if the facility is open Sunday or just Saturday. Staff stated it is not opened every Saturday or Sunday it depends if the applicant decides to have weekend events.

Chair Williams introduced the applicant.

Melissa Peralta and Carmela Magpayo, 1381 Vance Drive, San Jose, CA, said the facility is a behavioral management with community integration type facility. They serve developmentally disabled adults 18 – 59 years old. They are applying for a maximum of 75 students.

Commissioner Ciardella asked if someone forgets their lunch what would the facility do. Ms Magpayo stated the regional center does not allow them to serve lunch. Many of the students have a restricted diet so they bring their lunch. Ms Peralta stated the hours of operation are from 7:30 am to 6:00 pm it doesn't mean all students will be at the facility at one time. The maximum a student has at the facility is 4 hours per day so they need to bring a snack.

Commissioner Ciardella asked if the exits are alarmed exits. Ms. Peralta stated they asked the contractor to install alarms on all doors. Commissioner Ciardella also asked if there was a check in system when someone comes in. Ms. Peralta stated that the facility has one entrance with a receptionist with a log book for sign in and people must show Identification.

Commissioner Mandal asked what kind of emergency plan they have at the facility. Ms. Magpayo stated they are all trained in CPR and first aid by the regional center and the health licensing department. If an emergency situation arises they will call 911.

Commissioner Sandhu asked if there will be a cost at the facility. Ms. Peralta stated the student is diagnosed by a physician and goes through the regional center for services needed and those services will be paid by the state.

Chair Williams asked the number of facilities that cover these kinds of services. Ms. Magpayo stated there are a few facilities throughout Santa Clara county but they are just a few that handle behavior management. Chair Williams also asked what has been the success factor on this type of health care. Ms. Magpayo stated it is a growing service for those that are developmentally disabled.

Commissioner Mandal asked what kind of prevention do they have in place so the students do not get lost or wander off into the streets. Ms. Magpayo stated that there is a ratio of one lead staff for every 4 staff. There will be buzzers and alarms on all doors. Each student will wear an orange backpack with the facility logo on it to identify the student if they should go outside of the facility.

Chair Williams opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Sandhu/Mandal

AYES: 4

NOES: 0

Motion to approve Conditional Use Permit No. UP07-0004 and Adopt Resolution No. 08-012 for approval.

M/S: Sandhu/Mandal

AYES: 4

NOES: 0

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**2. CONDITIONAL USE
PERMIT NO. UP08-0003**

Cindy Hom, Junior Planner, presented a request to locate an 8,000 square foot adult's only martial arts facility within an existing 40,506 square foot multi-tenant industrial building and to permit joint parking for on-site parking spaces located at 720 Montague Expressway. Ms. Hom recommended the Commission adopt Resolution No. 08-013 for approval.

Commissioner Mandal asked if the facility is opened 7 days a week. Staff stated yes.

Chair Williams introduced the applicant.

Cung Le, 720 Montague Expressway, Milpitas, CA, said he is a professional fighter and coach of the United States national gym. Most of his students come from Milpitas and he is a resident of Milpitas.

Commissioner Mandal asked if there is a conflict with the parking agreement with the other facility. Staff stated that the applicant is proposing evening operations where as the other tenants mainly operate between the hours of 8:00 am to 5:00 pm. The facilities will not overlap.

Chair Williams asked the starting age of the students. Mr. Le stated the starting age is 18 years old. Chair Williams also asked if they will be proposing to ever have less than 18 years old. Mr. Le stated not at this time, they are focusing on the adults and the professional team he is bringing in. Chair Williams stated that where children are concerned you have a different formula that comes into play with traffic logistics.

Chair Williams opened the public hearing.

There were no speakers from the audience.

Motion to close the public hearing.

M/S: Sandhu/Mandal

AYES: 4

NOES: 0

Motion to approve Conditional Use Permit No. UP08-0003 and Adopt Resolution No. 08-013 for approval.

M/S: Mandal/Sandhu

AYES: 4

NOES: 0

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**X.
ADJOURNMENT**

The meeting was adjourned at 7.42 p.m. to the next regular meeting of April 9, 2008.

Respectfully Submitted,

James Lindsay
Planning & Neighborhood
Services Director

Yvonne Andrade
Recording Secretary

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